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10/535,183	01/12/2006	Yasuaki Honda	272287US6PCT	2364
22850 7590 01/21/2009 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER				
SETO, JEFFREY K				
ART UNIT		PAPER NUMBER		
2446				
NOTIFICATION DATE		DELIVERY MODE		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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### Office Action Summary

**Application No.**

10/535,183

**Applicant(s)**

HONDA ET AL.

**Examiner**

Jeffrey Seto

**Art Unit**

2446

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☒ Claim(s) 1,6,10,13,14,20,21 and 26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB08)
- Paper No(s)/Mail Date 5-17-2005
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-28 are pending.

***Priority***

2. Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, or 365(c) is acknowledged. While a certified copy of the Japanese application has been received, an English translation has not. Thus, the priority date of this application remains 11-18-2003.

***Information Disclosure Statement***

3. The information disclosure statement (IDS) filed 5-17-2005 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because no English translation, not even of the Abstracts, has been provided for any of the documents. The IDS has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

***Claim Objections***

4. Claims 1, 6, 10, 13, 14, 20, 21 & 26 are objected to because of the following informalities:

- a. Regarding claim 1, "plurlaity" in line 1, should be changed to "plurality";
- b. Regarding claim 6, "confiugred" in line 2, should be changed to "configured";
- c. Regarding claim 10, "with" in line 7, should be deleted or changed to "by";
- d. Regarding claim 13, "plaurlity" in line 2, should be changed to "plurality";
- e. Regarding claim 14, "filed" in line 3, should be changed to "field";
- f. Regarding claim 20, "clientin" in line 7, should be changed to "client";
- g. Regarding claim 21, "executies" in line 5, should be changed to "executes"; and,
- h. Regarding claim 26, "transmites" in line 2, should be changed to "transmits".

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-4, 8-18 & 22-28 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0110240 to Lockridge, et al. (Lockridge).

6. Regarding claim 1, Lockridge teaches an information processing apparatus for connecting to a network to which a plurality of devices are connected, and executing a process of generating an access control list, characterized by comprising: a reception unit for receiving a packet from a client that serves as an access requesting apparatus through the network (See paragraph 19, lines 5-17); a storage unit storing a MAC list in which information of a MAC list for one client is set as registration data for one slot (See par. 16, lines 1-7; wherein memory 220 is the storage unit); a registration permission judgment unit for confirming whether or not there is an empty slot in the MAC list and judging as that a registration is permitted only if there is the empty slot, in a client registration process based on a received packet at the reception unit (See par. 20, lines 5-10; wherein there is an "empty slot" when there is no other device with a conflicting MAC address); and a registration processing unit for acquiring data containing a client MAC address from the received packet and executing a registration process for the MAC list, in accordance with a judgment of the registration permission by the registration permission judgment unit (See par. 21, lines 14-16; wherein the MAC list is in the routing table).

7. Regarding claim 2, Lockridge teaches the registration processing unit is configured to acquire a sender MAC address contained in a header field of the packet

received from the client (See par. 19, lines 17-22; wherein the MAC and other addresses are in the header of the ARP packet) and adopts the acquired sender MAC address as registration information of the MAC list (See par. 21, lines 14-16).

8. Regarding claim 3, Lockridge teaches a packet analysis unit for judging whether the packet received from the client is a registration processing request packet or a data processing request packet (See par. 19, lines 15-17; wherein scanning and determining is the equivalent of analyzing and judging); and characterized in that: if the packet received from the client is the registration processing request packet, the registration permission judgment unit executes a registration permission judgment process in accordance with a presence/absence detection process for the empty slot in the MAC address (See par. 20, lines 5-10); and the registration processing unit executes a registration process in accordance with the judgment of the registration permission by the registration permission judgment unit (See par. 21, lines 14-16).

9. Regarding claim 4, Lockridge teaches if the packet received from the client is the data processing packet, the registration permission judgment unit executes the registration permission judgment process in accordance with the presence/absence detection process for the empty slot in the MAC address (See par. 18, lines 4-7); and the registration processing unit executes the registration process for the MAC list in accordance with the judgment of the registration permission by the registration permission judgment unit, by acquiring the data containing the client MAC address from the received data processing request packet (See par. 20, lines 5-10, and par. 21, lines 14-16).

10. Regarding claim 8, Lockridge teaches the registration processing unit is configured to execute the registration process for the MAC list by acquiring the MAC address and identification information different from the MAC address stored in the packet received from the client (See par. 20, lines 5-10; wherein the IP address is the different ID information).

11. Regarding claim 9, Lockridge teaches the identification information different from the MAC address is identification information of global unique ID information or key information set to a client apparatus (See par. 20, lines 5-10; wherein the IP address is the global ID).

12. Regarding claim 10, Lockridge teaches an information processing apparatus that serves as a client for executing an access request to a server connected to a network, characterized by comprising: a process activation detection unit for detecting of an activation of a communication process in the network (See par. 19, lines 5-8); a control unit for executing a process of generating and transmitting an access control list registration processing request packet explicitly indicating a registration request in a MAC list possessed by the server, by storing own MAC address in header information using detected information, which is detected by the process activation detection unit, as a trigger (See par. 20, lines 6-10, and par. 21, lines 14-16).

13. Regarding claim 11, Lockridge teaches the control unit is configured to execute a process of generating a packet storing the identification information of the global unique ID information or the key information set to the client apparatus, in a process of

generating the access control list registration processing request packet (See par. 19, lines 15-17).

14. Regarding claim 12, Lockridge teaches the control unit is configured to transmit the access control list registration processing request packet by broadcast transmission or multicast transmission (See par. 19, lines 20-22).

15. Regarding claim 13, Lockridge teaches a server client system including a server for connecting to a network to which a plurality of devices are connected and receiving an access request, and a client for executing the access request, characterized in that: the client is configured to, detect an activation of a communication process in the network based on a power-on process or an activation of a specific application, and generating and transmitting an access control list registration processing request packet storing own MAC address in header information by using the detected information as a trigger (See par. 19, lines 5-11, and par. 20, lines 6-8; wherein when "the device attempts to communicate with another networked device" is equivalent to power on or activation); and the server is configured to receive the access control registration processing request packet from the client through the network, confirm whether or not there is an empty slot in a MAC list which sets information including a MAC address of one client as registration data for one slot, and execute a registration process of registering client information based on the packet in the MAC list, only if there is the empty slot (See par. 20, line 6, to par. 21, line 16).

16. Regarding claim 14, Lockridge teaches the server is configured to execute a process of acquiring a sender MAC address contained in a header field on a packet



received from the client and adopt the acquired sender MAC address as registration information for the MAC list (See par. 21, lines 14-16).

17. Regarding claim 15, Lockridge teaches an information processing method of executing a process of generating an access control list, characterized by comprising: a reception step of connecting to a network to which a plurality of devices are connected, and receiving a packet from a client that serves as an access requesting apparatus (See par. 19, lines 5-8); a registration permission judgment step of judging whether or not there is an empty slot in a MAC list in which information of a MAC list for one client is set as registration data for one slot (See par. 20, lines 6-10; wherein there is an empty slot when there is no conflict); and a registration processing step of acquiring data containing a client MAC address from the received packet and executing a registration process for the MAC list, in accordance with a judgment at the registration permission judgment step that there is the empty slot (See par. 21, lines 14-16).

18. Regarding claim 16, Lockridge teaches the registration processing step execute a process of acquiring a sender MAC address contained in a header field of the packet received from the client, and adopting the acquired sender MAC address as registration information of the MAC list (See par. 19, lines 17-22).

19. Regarding claim 17, Lockridge teaches a packet analysis step of judging whether the packet received from the client is a registration processing request packet or a data processing request packet (See par. 18, lines 4-7, and par. 19, lines 5-8); and characterized in that: if it is judged at the packet analysis step that the packet received from the client is the registration processing request packet, the registration permission

judgment step executes a registration permission judgment process in accordance with a presence/absence detection process for the empty slot in the MAC address (See par. 20, lines 5-10).

20. Regarding claim 18, Lockridge teaches if the packet received from the client is the data processing packet, the registration permission judgment step executes the registration permission judgment process in accordance with the presence/absence detection process for the empty slot in the MAC address (See par. 18, lines 4-7, and par. 19, lines 5-8); and the registration processing unit step executes the registration process for the MAC list in accordance with the judgment of the registration permission by the registration permission judgment unit, by acquiring the data containing the client MAC address from the received data processing request packet (See par. 20, lines 5-10).

21. Regarding claim 22, Lockridge teaches the registration processing step executes the registration process for the MAC list by acquiring the MAC address and identification information different from the MAC address stored in the packet received from the client (See par. 20, lines 5-10; wherein the IP address is the different identification information).

22. Regarding claim 23, Lockridge teaches the identification information different from the MAC address is identification information of global unique ID information or key information set to a client apparatus (See par. 20, lines 5-10; wherein the IP address is the global ID).

23. Regarding claim 24, Lockridge teaches an information processing method for an information processing apparatus that serves as a client for executing an access request to a server connected to a network, characterized by comprising: a trigger detection step of detecting an activation of a communication process in the network based on a power-on process of the information processing apparatus or a specific application activation process (See par. 18, lines 4-7, and par. 19, lines 5-11; wherein attempting to communicate with another networked device is a power-on process or an activation process); and a packet generation and transmission process step of generating and transmitting an access control list registration processing request packet explicitly indicating a registration request in a MAC list possessed by the server, under a condition that the trigger information is detected, by storing own MAC address in header information (See par. 20; wherein when a new device stores its own MAC address in the header of an ARP packet and sends the packet on the network, the new device triggers the registration process).

24. Regarding claim 25, Lockridge teaches the packet generation and transmission process step executes a process of generating a packet storing the identification information of the global unique ID information or the key information set to the client apparatus, in a process of generating the access control list registration processing request packet (See par. 20, lines 5-10; wherein the IP address is the global ID).

25. Regarding claim 26, Lockridge teaches the packet generation and transmission process step transmits the access control list registration processing request packet by broadcast transmission or multicast transmission (See par. 19, lines 17-22).

26. Regarding claim 27, Lockridge teaches a computer program for executing a process of generating an access control list, characterized by comprising: a reception step of connecting to a network to which a plurality of devices are connected, and receiving a packet from a client that serves as an access requesting apparatus (See par. 19, lines 5-8); a registration permission judgment step of judging whether or not there is an empty slot in a MAC list in which information of a MAC list for one client is set as registration data for one slot (See par. 20, lines 6-10); and a registration processing step of acquiring data containing a client MAC address from the received packet and executing a registration process for the MAC list, in accordance with a judgment at the registration permission judgment step that there is the empty slot (See par. 21, lines 14-17).

27. Regarding claim 28, Lockridge teaches a computer program for executing an information processing method for an information processing apparatus that serves as a client for executing an access request to a server connected to a network, characterized by comprising: a trigger detection step of detecting an activation of a communication process in the network based on a power-on process of the information processing apparatus or a specific application activation process (See par. 18, lines 4-7, and par. 19, lines 5-8); and a packet generation and transmission process step of generating and transmitting an access control list registration processing request packet explicitly indicating a registration request in a MAC list possessed by the server, under a condition that the trigger information is detected, by storing own MAC address in header information (See par. 20; wherein a new device triggers the registration process by

storing its own MAC address in the header of an ARP packet and transmits the packet on the network).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

28. Claims 5-7 & 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lockridge, as applied to claims 1 & 15 above, in view of U.S. Patent No. 6,865,673 issued to Nessett, et al. (Nessett).

29. Regarding claim 5, Lockridge teaches the invention as described in claim 1. Lockridge does not teach the control unit executes a close process for the empty slot under a condition that a lapse time from a setting process for the empty slot in the MAC list exceeds a predetermined threshold time. However, Nessett teaches this limitation (See column 4, lines 20-25). Using the time limit of Nessett in the system of Lockridge would have made a more efficient system, by not allowing the registration process to wait unnecessarily on a device that was not functioning properly. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to combine the teachings of Nessett and Lockridge.

30. Regarding claim 6, Lockridge teaches the invention as described in claim 1. Lockridge does not teach the registration permission judgment unit is configured to

execute a process of judging whether or not a data processing request sequence from the client correctly and reliably executes a sequence in conformity with a UPnP protocol; and the registration processing unit is configured to execute the registration process for the MAC list in accordance with a judgment that the data processing request sequence from the client correctly and reliably executes the sequence in conformity with a UPnP protocol. However, Nessett teaches this limitation (See col. 2, lines 51-53). Using the plug and play protocol of Nessett in the system of Lockridge would have broadened the appeal of the system by allowing for the addition of popular plug and play devices. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to combine the teachings of Nessett and Lockridge.

31. Regarding claim 7, Lockridge teaches the invention as described in claim 1. Lockridge does not teach the registration permission judgment unit judges whether a content directory service (CDS) request process in the sequence in conformity with the UPnP protocol is executed or not in response to a data processing request from the client; and the registration processing unit is configured to execute the registration process for the MAC list in accordance with a judgment that the content directory service (CDS) request process is executed, by acquiring the data containing the client MAC address from the received data processing request packet. However, Nessett teaches this limitation (See col. 2, lines 51-53; wherein a content delivery service request, such as a request for a movie from a video service, would be treated the same as any other data request; meaning that it would not trigger the registration process). Using the plug and play protocol of Nessett in the system of Lockridge would have

broadened the appeal of the system by allowing for the addition of popular plug and play devices. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to combine the teachings of Nessellet and Lockridge.

32. Regarding claim 19, Lockridge teaches the invention as described in claim 15. Lockridge does not teach a control step of executing a close process for the empty slot under a condition that a lapse time from a setting process for the empty slot in the MAC list exceeds a predetermined threshold time. However, Nessellet teaches this limitation (See column 4, lines 20-25). Using the time limit of Nessellet in the system of Lockridge would have made a more efficient system, by not allowing the registration process to wait unnecessarily on a device that was not functioning properly. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to combine the teachings of Nessellet and Lockridge.

33. Regarding claim 20, Lockridge teaches the invention as described in claim 15. Lockridge does not teach the registration permission judgment step includes a step of judging whether or not a data processing request sequence from the client correctly and reliably executes a sequence in conformity with a UPnP protocol; and the registration processing step executes the registration process for the MAC list by acquiring the data containing the client MAC address from the packet received from the client in accordance with a judgment that the data processing request sequence from the client correctly and reliably executes the sequence in conformity with a UPnP protocol. However, Nessellet teaches this limitation (See col. 2, lines 51-53). Using the plug and play protocol of Nessellet in the system of Lockridge would have broadened the appeal of

the system by allowing for the addition of popular plug and play devices. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to combine the teachings of Nessett and Lockridge.

34. Regarding claim 21, Lockridge teaches the invention as described in claim 15. Lockridge does not teach the registration permission judgment step includes a step of judging whether a content directory service (CDS) request process in the sequence in conformity with the UPnP protocol is executed or not in response to a data processing request from the client; and the registration processing step executes the registration process for the MAC list in accordance with a judgment that the content directory service (CDS) request process is executed, by acquiring the data containing the client MAC address from the packet received from the client. However, Nessett teaches this limitation (See col. 2, lines 51-53; wherein a content delivery service request, such as a request for a movie from a video service, would be treated the same as any other data request; meaning that it would not trigger the registration process). Using the plug and play protocol of Nessett in the system of Lockridge would have broadened the appeal of the system by allowing for the addition of popular plug and play devices. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to combine the teachings of Nessett and Lockridge.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey Seto whose telephone number is (571)270-7198.



The examiner can normally be reached on Monday thru Thursday and alt. Fridays, 9AM-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Pwu can be reached on (571) 273-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JKS  
12/24/2008

/Joseph E. Avellino/  
Primary Examiner, Art Unit 2446